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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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January 3, 2005

**FACSIMILE COVER SHEET**

To: Commissioner For Patents  
Attn: Examiner Andre K. Jackson  
U.S. Patent Office

From: Wayne L. Jacobs

Re: Our File: BARN-94US3  
Serial No. 10/667,172 filed 09/19/03  
METHOD AND APPARATUS FOR

Fax: 1-703-872-9306

Pages: 4 (including cover sheet)

**MESSAGE/COMMENTS**

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PTO/SB/21 (09-04)

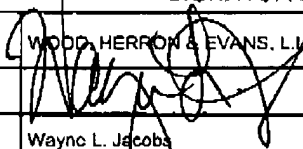
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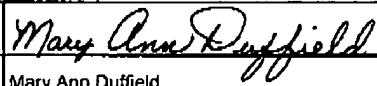
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)  Total Number of Pages in This Submission 3	Application Number	10/667,172
	Filing Date	January 3, 2005
	First Named Inventor	Mark D. Lockwood
	Art Unit	2878
	Examiner Name	Andre K. Jackson
	Attorney Docket Number	BARN-94US3

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> Attached for filing is a Status Letter.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	WOOD, HERRON & EVANS, L.L.P.		
Signature			
Printed name	Wayne L. Jacobs		
Date	January 3, 2005	Reg. No.	35.553

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Mary Ann Duffield	Date	January 3, 2005

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Mary Ann Duffield 1/03/04  
Mary Ann Duffield Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/667,172  
Filed: September 19, 2003  
Group Art Unit: 2878  
Examiner: Andre K. Jackson  
Applicant: Steven C. Peake  
Title: METHOD AND APPARATUS FOR DETERMINING LIQUID  
ABSORPTION OF AGGREGATE

Cincinnati, Ohio 45202

January 3, 2005

Commissioner for Patents  
P. O. Box 1450  
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Sir:

STATUS LETTER

In checking our files, we find that we have not received any action in the  
above identified application since it was filed. We are concerned with the possibility that  
an Office Action was issued and possibly misplaced or lost in the mail. Kindly check your  
files and let us know the status of this case. If any Action has been issued, we would  
appreciate it very much if you would send us a copy, or advise when we might expect to  
hear further on this matter.

Respectfully submitted,

WOOD, HERRON & EVANS

By: 

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